

TOWN OF ST. LEO
COMMISSION MEETING AND PUBLIC HEARING
January 10, 2011
7:00 PM

OPENING – Mayor Hamilton

INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Christmas

ROLL CALL Donna DeWitt, O.S.B. – Mayor Pro Tem
Richard Christmas – Commissioner
William Hamilton, - Mayor
John “Jack” Gardner – Commissioner
Robert Courtney – Commissioner

STAFF Joan Miller - Town Clerk
Patty Petruff – Attorney

ATTENDEES
James Adcock -TECO
Deputy Day, PCSO

MINUTES **MOTION: TO APPROVE THE MINUTES OF THE COMMISSION MEETING ON DECEMBER 13, 2010.**
MOTION BY: Commissioner Christmas
SECOND: Commissioner Gardner
Discussion.
VOTE: Unanimous for Approval, 5/0

EXPENSES AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED JANUARY 10, 2011.
MOTION BY: Commissioner Christmas
SECOND: Commissioner DeWitt
Discussion
VOTE: Unanimous for Approval, 5/0

Commissioner Courtney asked for confirmation of specific line items of salaries, Social Security and Medicare withholding and insurance (includes medical, dental, vision and life). He requested that this topic be on the February agenda.

MAYORS REPORT

FINAL READING OF LAND DEVELOPMENT CODE AMENDMENT

THE PUBLIC HEARING WAS OPENED

Mayor Hamilton read by title Ordinance 11-01.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA AMENDING PART III LAND DEVELOPMENT CODE OF THE TOWN OF ST. LEO CODE OF ORDINANCES AS CONTAINED IN EXHIBIT A; DELETING IN ITS ENTIRETY ARTICLE IV STORMWATER MANAGEMENT FROM CHAPTER 18 ENVIRONMENT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Having no questions from the public, the hearing was closed.

Commissioner Courtney commented that the permitting process does not include completion date requirements and that time limits should be placed on developers to complete projects (developments, shopping malls etc). Mayor Hamilton stated that Dade City functioned as the Town Permitting Department and that they follow the Florida Building Code which has appropriate time limits on inspections and permits. Attorney Petruff reflected on a recent situation that occurred in the City of Brooksville and a construction developers bond. Her conclusion at this time is that construction and surety bonds need to be written more tightly, monitored more closely or not accepted at all based upon the facts of that particular case. The Town Codes currently require posting construction bonds for different purposes. In the future if a project comes in front of the commission, perhaps a letter of credit should be requested if needed. Discussion.

MOTION: ADD LANGUAGE TO THE LAND DEVELOPMENT CODE TO EXCLUDE THE GROSS DEFINITION OF "ACRE".

MOTION BY: Commissioner Courtney

SECOND BY: Commissioner DeWitt

VOTE: Motion failed. 4/1

Courtney aye vote

Commissioner Courtney asked if the Land Development Code could include verbiage that no stormwater retention ponds are built (within the existing municipal land area). Attorney Petruff stated that South West Florida Water Management District requires and regulates stormwater and the town has no jurisdiction to prohibit a developer from creating a stormwater pond if it is required by SWFWMD for a particular project.

MOTION: TO ADOPT ORDINANCE 11-01 AS READ.

MOTION BY: Commissioner DeWitt

SECOND: Commissioner Christmas

Discussion.

VOTE: Approval, 4/1
Courtney nay vote

**FINAL READING OF AMENDMENT TO PROVISIONS OF THE LDC DEALING WITH
TEMPORARY USE PERMITS**

Mayor Hamilton read by title Ordinance 11-02.

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN
OF ST. LEO FLORIDA, AMENDING CERTAIN PROVISIONS OF
THE LDC DEALING WITH TEMPORARY USE PERMITS;
PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Discussion.

MOTION: TO ADOPT ORDINANCE 11-02 AS READ.

MOTION BY: Commissioner DeWitt

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 5/0

COMMISSION REPORT

Commissioner Courtney asked that the Commission Room be rearranged so that the commissioners can see one another.

ATTORNEY REPORT

Sidewalk After reviewing available Pasco County sketches and a Florida Department of Transportation survey from the 1960's it appears that the sidewalk on SR 52 is located outside of the "claimed right of way" of the Florida Department of Transportation, therefore, on private property. Attorney Petruff suggested writing a letter to the property owners requesting their cooperation and consideration to upgrade the existing sidewalk and request additional footage for a multi-use-trail. A new survey would need to be completed so that easement documents would include a compiled legal description of the existing five foot sidewalk and the additional three feet needed for the multi purpose trail. Construction easements will also be needed.

MOTION: TO DIRECT ATTORNEY PETRUFF TO WORK WITH CLERK MILLER AND MAYOR HAMILTON TO PROCEED WITH THE OBJECTIVE OF OBTAINING EASEMENTS FOR A MULTI-USE TRAIL BY OBTAINING A CURRENT SURVEY AND APPROACHING RESIDENTS BY LETTER.

MOTION BY: Commissioner DeWitt

SECONDED BY: Commissioner Christmas

VOTE: Unanimous 5/0

Commissioner Christmas asked the commission to consider lighting the sidewalk. Attorney Petruff asked the commission to fully consider this prior to writing a letter to residents in case additional easement is required for this purpose.

Government in the Sunshine

Attorney Petruff suggested that the City purchase a 2011 Government in the Sunshine Manual.

CLERKS NOTES

Clerk Miller announced the following:

- * Municipal Association of Pasco Meeting, February 3, 2011, 6:30 PM, at the City of Dade City Train Depot
- * East Pasco Water Coalition Meeting, January 13, 2011, 10:00 AM, in St. Leo Town Hall
- * Pasco County Fair and Town of St. Leo Community Booth volunteer request

OLD BUSINESS

TOWN HALL SIGN – Proposals for the sign that was selected by the commission are still being sought.

MIDILI DEMOLITON - The building has been removed.

NEW BUSINESS

Commissioner Courtney asked if the Town would like to reimburse him \$19.00 for an artificial tree that he purchased at Wal-Mart, otherwise he would donate the tree to town hall. The commission agreed to the reimbursement.

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 8:24 P.M.

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Christmas

VOTE: Unanimous for Approval, 5/0

Respectfully, Joan Miller, C.M.C.